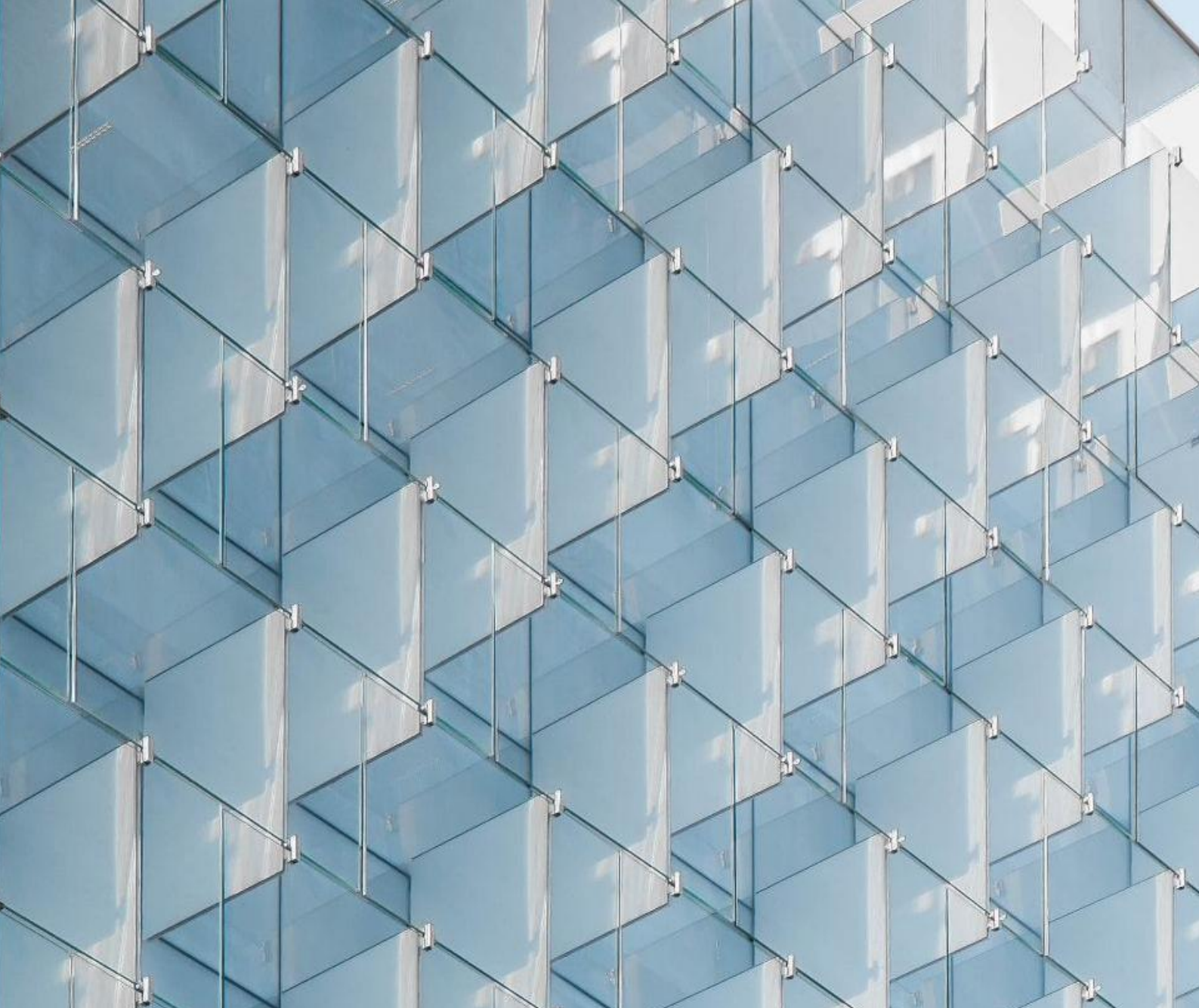




WILLOWTREE PLANNING

SCOPING REPORT

CONCEPT STATE SIGNIFICANT DEVELOPMENT APPLICATION

1 Railway Parade and 3A Railway Parade, Kogarah

Prepared by Willowtree Planning Pty Ltd
for **Ganellen Property Group**

7 July 2026

SCOPING REPORT

Concept State significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

Willowtree Planning acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing and ongoing connections to land, waters, and community.

We acknowledge the Cammeraygal people, the Traditional Custodians of the land where this document was prepared, as well as the Bidjigal people, the Traditional Owners of the land where the proposed development will be located. We pay our respects to Elders past, present and emerging.

DOCUMENT CONTROL TABLE

Project Reference	WTJ26-281		
Contact:	Jared Spies jspies@willowtp.com.au		
Version and Date	Prepared by	Checked by	Approved by
Version No. 1 - DRAFT 01/07/2026	Jared Spies Associate Director 	Chris Wilson Managing Director 	Chris Wilson Managing Director 
Version No. 2 – Final 07/07/2026	Jared Spies Associate Director 	Chris Wilson Managing Director 	

SYDNEY

Suite 404, Level 4
165 Walker Street
North Sydney NSW 2060

02 9929 6974
enquiries@willowtp.com.au
willowtreeplanning.com.au

BRISBANE

Level 3
240 Queen Street
Brisbane QLD 4000



Disclaimer

This report has been prepared by Willowtree Planning with input from a number of other expert consultants (if relevant). To the best of our knowledge, the information contained herein is neither false nor misleading and the contents are based on information and facts that were correct at the time of writing. Willowtree Planning accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

Copyright © Willowtree Planning (NSW) Pty Ltd
All Rights Reserved. No material may be reproduced without express written permission.

TABLE OF CONTENTS

TABLE OF CONTENTS	i
APPENDICES.....	3
1. INTRODUCTION	4
1.1 Proponent Details	4
1.2 Overview of the Site and Regional Setting	4
1.3 Overview of Development	5
1.4 Objectives of the Development	6
1.5 Related Development.....	6
2. THE SITE.....	7
2.1 Site Identification and Characteristics.....	7
2.2 Existing Surrounding Development	10
2.3 Future Development.....	10
3. STRATEGIC CONTEXT	11
3.1 Project Justification	11
3.2 Strategic Planning Policies.....	11
4. PROJECT DESCRIPTION	13
5. STATUTORY CONTEXT	15
5.1 Power to Grant Approval.....	15
5.2 Permissibility.....	15
5.3 Other Approvals	16
5.4 Pre-Conditions	17
5.5 Mandatory Consideration.....	17
6. ENGAGEMENT	20
6.1 Relevant Stakeholders	20
6.2 Engagement Carried Out	20
6.3 Engagement to be Carried Out	21
7. PROPOSED ASSESSMENT OF IMPACTS	22
7.1 Matters Requiring Further Assessment.....	22
7.2 Matters Requiring No Further Consideration	24
7.3 Anticipated Deliverables	24
8. CONCLUSION	25

FIGURES

Figure 1. Map of the Site in its regional setting (Source: Greater Sydney Region Plan 2018)	5
Figure 2. Cadastral Plan (Source: Sixmaps 2026).....	8
Figure 3. Site Location (Source: Nearmaps 2026)	9
Figure 4. Zoning Map (Source: NSW Spatial Viewer 2026).....	10
Figure 5. Concept elevation plans (Source: Cox 2022).....	13



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

Figure 6. Concept elevation plans (Source: Cox 2022).....	14
--	-----------

TABLES

Table 1: Proponent Details	4
Table 2: Site Identification	7
Table 3: Consistency with the Relevant Strategic Planning Policies.....	11
Table 4: Key Development Particulars.....	13
Table 5: Power to Grant Consent	15
Table 6: Permissibility.....	16
Table 7: Other Approvals	16
Table 8: Pre-Conditions.....	17
Table 9: Matters For Mandatory Consideration.....	17



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

APPENDICES

Appendix	Document	Prepared by
A	Concept Architectural Plans	Cox



1. INTRODUCTION

This Scoping Report has been prepared by Willowtree Planning (NSW) Pty Ltd (Willowtree Planning) on behalf of Ganellen Property Group (**the Proponent**), acting on behalf of the Kogarah Town Centre Group (the landowner), in relation to the proposed renewal of the Kogarah Town Centre at 1 Railway Parade and 3A Railway Parade, Kogarah (**the Subject Site**).

The proposed development comprises a Concept State Significant Development Application (**Concept SSDA**) for a transit-oriented, mixed-use development directly adjacent to Kogarah Station, including residential apartments (with affordable housing), retail and commercial floorspace. The Concept SSDA seeks approval for the building envelopes, land uses and maximum gross floor area, with detailed development to be the subject of future, separate development applications.

The purpose of this Scoping Report is to request **Project-Specific** Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Concept SSDA and to confirm the documentation requirements.

Following a meeting with the NSW Department of Planning, Housing and Infrastructure (the Department) on 11 June 2026, the proposal is to proceed as a Concept SSDA since the Housing Delivery Authority (HDA) pathway was rejected at the meeting. As the application includes a concept development application, Project-Specific (not industry-specific) SEARs are required.

This Scoping Report has been prepared in accordance with the Department's State significant development guidelines – preparing a scoping report (October 2022) (the Guidelines) and Section 173 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation). It should be read in conjunction with the supporting documentation appended to the report.

1.1 Proponent Details

The Proponent details for the proposed development are listed in **Table 1** below.

Table 1: Proponent Details	
Name	Ganellen Property Group (on behalf of Kogarah Town Centre Group)
ABN	40 647 260 437
Contact	Christopher Ahern and James Tsalikis
Address	Level 1, 3A "The Finger Wharf", 6 Cowper Wharf Road, Woolloomooloo NSW 2011

1.2 Overview of the Site and Regional Setting

The Subject Site is located at 1 Railway Parade and 3A Railway Parade, Kogarah, within the Georges River Local Government Area (LGA) and is legally described as Lot 2 DP871296, Lot 1 DP432098 and Lot 1 DP431539. The Subject Site comprises part of the Kogarah Town Centre shopping centre (constructed partially over the rail line) and adjacent land containing a petrol station / car repair with a commercial tenancy above.

The Subject Site is located at the heart of the Kogarah Strategic Centre and Kogarah Health and Education Precinct, directly adjacent to Kogarah Station on the T4 Eastern Suburbs and Illawarra Line and an adjacent bus interchange. It is in close proximity to St George Hospital, TAFE NSW St George Campus, Kogarah Library and the wider town centre. The LGA boundary runs along the centre of the rail line, with part of the development site extending into the Bayside LGA.



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

A map of the Subject Site in its regional setting is provided in **Figure 1**.

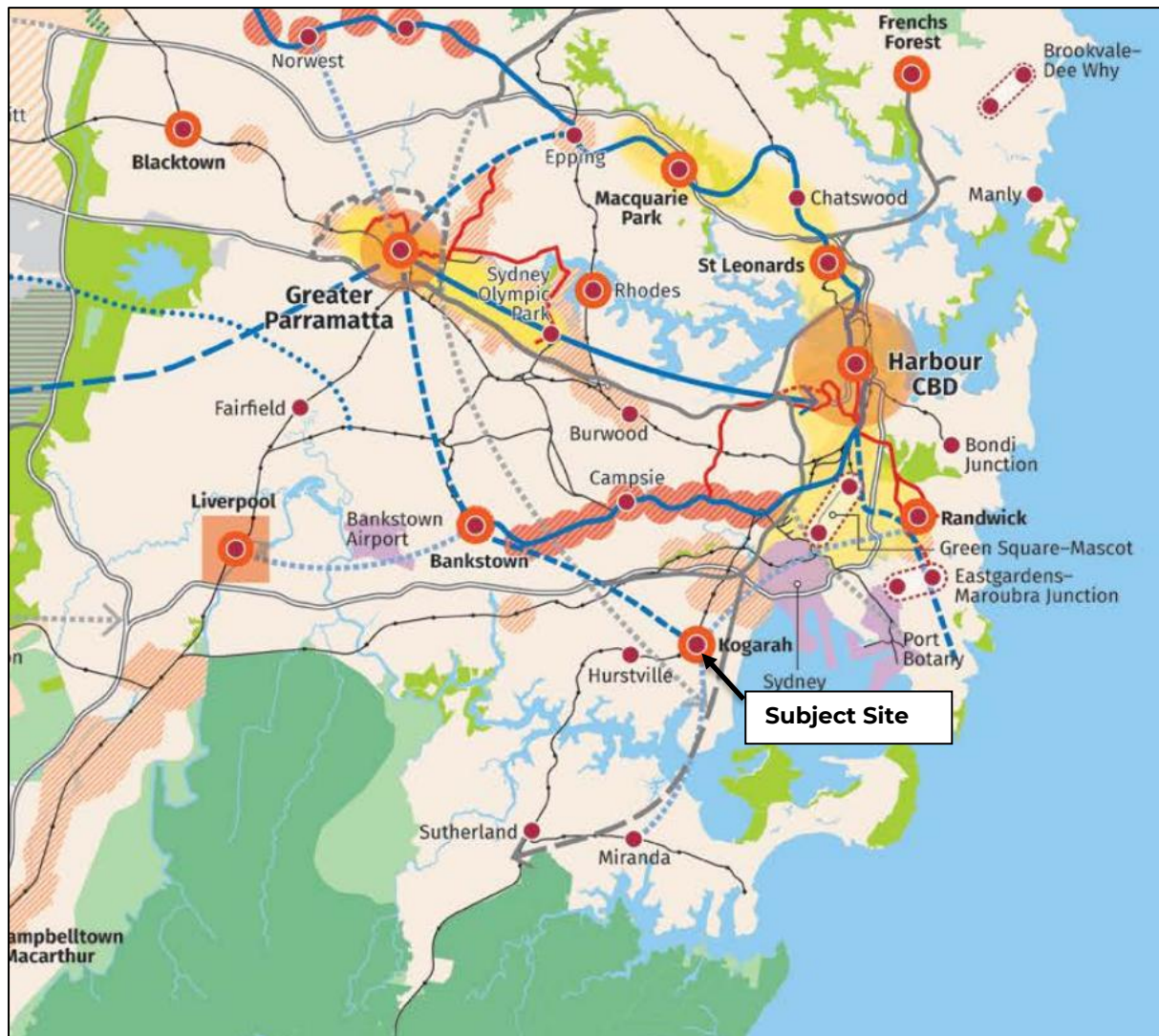


Figure 1. Map of the Site in its regional setting (Source: Greater Sydney Region Plan 2018)

1.3 Overview of Development

The proposed Concept SSDA will comprise the following:

- A Concept SSDA establishing the building envelope, land uses, maximum height and gross floor area (GFA) inside the site boundary;
- Retention and internal refurbishment of existing retail centre which spans over the live rail corridor. No structural alterations or new structure proposed to impact existing live rail corridor;
- On the Kogarah CBD side to the east of the live rail corridor:
 - demolition of the existing shopping centre, rooftop car park, petrol station / car repair and commercial premises
 - remediation and bulk earthworks, including excavation for basement levels;
- A mixed-use, transit-oriented development comprising a podium and tower built form;
- Approximately 576 residential apartments including a minimum 5% of residential floor space as affordable housing;
- New retail and commercial floorspace;
- Basement and podium car parking, loading and servicing;
- Augmentation of services and infrastructure; and
- Associated landscaping, through-site links and pedestrian connections.

SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

The Estimated Development Cost (EDC) for the proposed development is approximately \$400,000,000. The concept architectural plans prepared by Cox are provided at **Appendix A**.

Whilst not included in the scope of works proposed in this Concept SSDA, the intention of this development is to bring about significant improvements to the public domain outside the site boundary, the details of which are anticipated to be part of a separate detailed SSDA.

1.4 Objectives of the Development

The key objectives of the proposed development are:

- **Renewal:** revitalise the heart of the Kogarah Town Centre, replacing an ageing shopping centre and service station with a high-quality, transit-oriented mixed-use development;
- **Housing:** deliver significant new housing supply, including affordable housing, in a highly accessible location adjacent to Kogarah Station;
- **Employment:** deliver new retail and commercial floorspace to support jobs and the surrounding health and education precinct;
- **Design excellence:** achieve design excellence and a built form that responds to context and constraints, including the aviation Obstacle Limitation Surface (OLS) ceiling; and
- **Sustainability:** deliver best-practice ecologically sustainable development outcomes.

1.5 Related Development

1.5.1 Previous Planning History at the Subject Site

The Subject Site has an extensive planning history:

- An Unsolicited Proposal (USP) was lodged with the NSW Government in late 2016 to incorporate the railway land into the redevelopment. The USP progressed to a Stage 2 submission in early 2020; in May 2020 Transport for NSW advised it would not proceed to Stage 3;
- A Planning Proposal (prepared in 2022) sought to establish height and FSR controls for the Subject Site. This was subsequently withdrawn; and
- The current Concept SSDA is now the pathway being pursued for the renewal of the Subject Site.

The technical studies prepared for the 2022 Planning Proposal provide a strong document base and will be reviewed and updated where necessary to support the Concept SSDA.



2. THE SITE

2.1 Site Identification and Characteristics

The Subject Site is identified in **Table 2** below.

Table 2: Site Identification	
Address	Legal Description / Land Area
1 Railway Parade and 3A Railway Parade, Kogarah	Lot 2 DP871296, Lot 1 DP432098 and Lot 1 DP431539. Land area is approximately 8,600m ² .

The Subject Site has the following key constraints and characteristics:

- The *Georges River Local Environmental Plan 2021* (Georges River LEP) is the principal environmental planning instrument applying to the Subject Site;
- The Subject Site is zoned MU1 Mixed Use and SP2 Infrastructure under the Georges River LEP; part of the wider development site within the Bayside LGA is zoned SP2 Infrastructure under the Bayside LEP 2021;
- No maximum height of buildings or FSR controls currently apply to the Subject Site;
- The Subject Site is within the Kogarah Strategic Centre and Kogarah Health and Education Precinct, and the Kogarah Collaboration Area Place Strategy (2020) applies;
- The Subject Site is partly constructed over, and immediately adjacent to, the rail corridor (SP2 Infrastructure), which requires landowner consent and engagement with Transport for NSW / Sydney Trains;
- The Subject Site is affected by the Obstacle Limitation Surface (OLS) / Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) of Sydney (Kingsford Smith) Airport, with an estimated controlling level of RL122 to 126.4m AHD that limits building and crane heights;
- The Subject Site spans two LGAs (Georges River and Bayside), with the LGA boundary along the centre of the rail line;
- The current and former uses (including the petrol station / car repair) mean contamination must be assessed under Chapter 4 of the *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP);
- The Subject Site is in a highly urbanised, previously developed setting with negligible biodiversity value; and
- Heritage items in the vicinity of the Subject Site are to be assessed.

Refer to **Figure 2** (Cadastral Plan), **Figure 3** (Site Location) and **Figure 4** (Zoning Map).



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah



Figure 2. Cadastral Plan (Source: Sixmaps 2026)



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

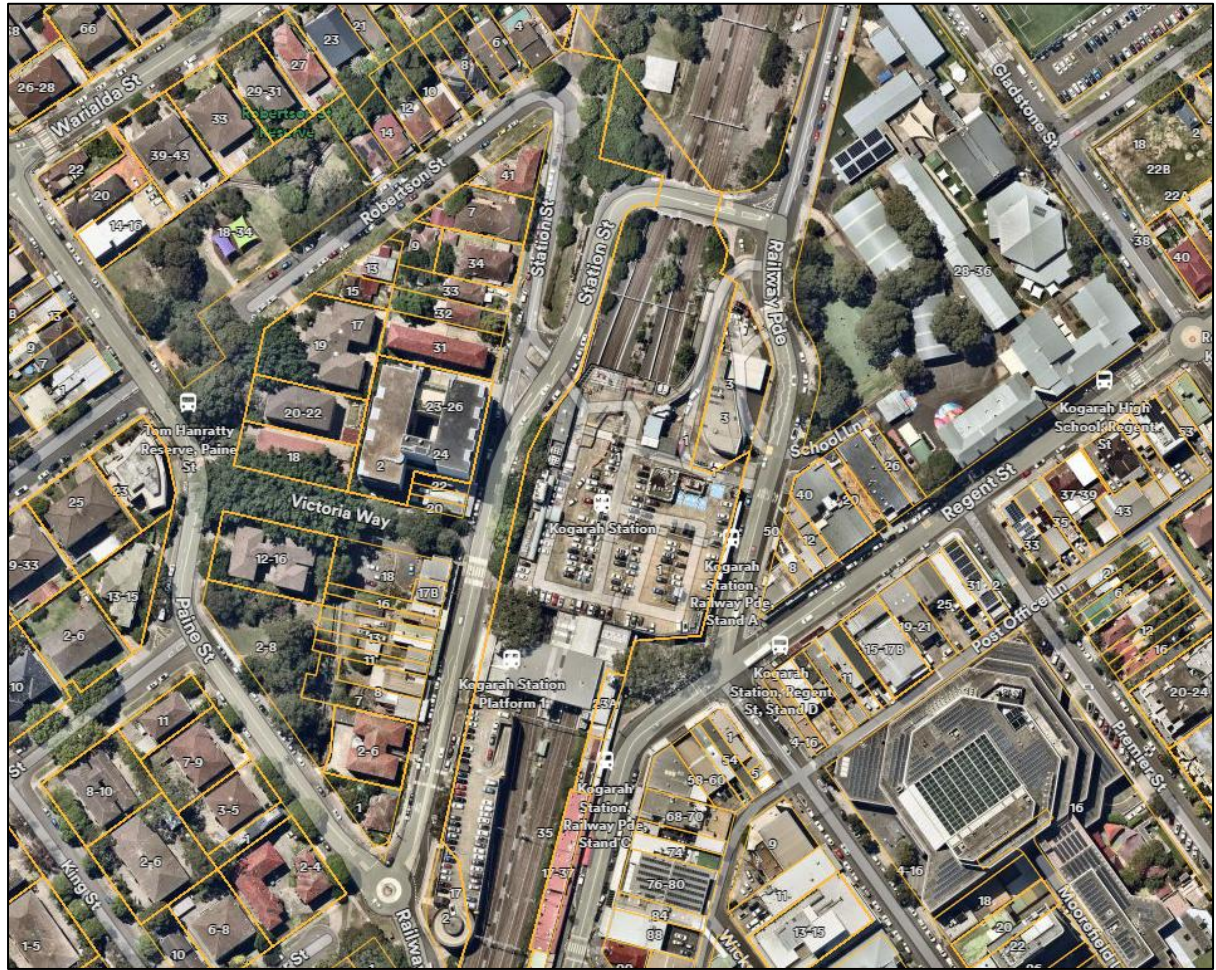


Figure 3. Site Location (Source: Nearmaps 2026)

SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

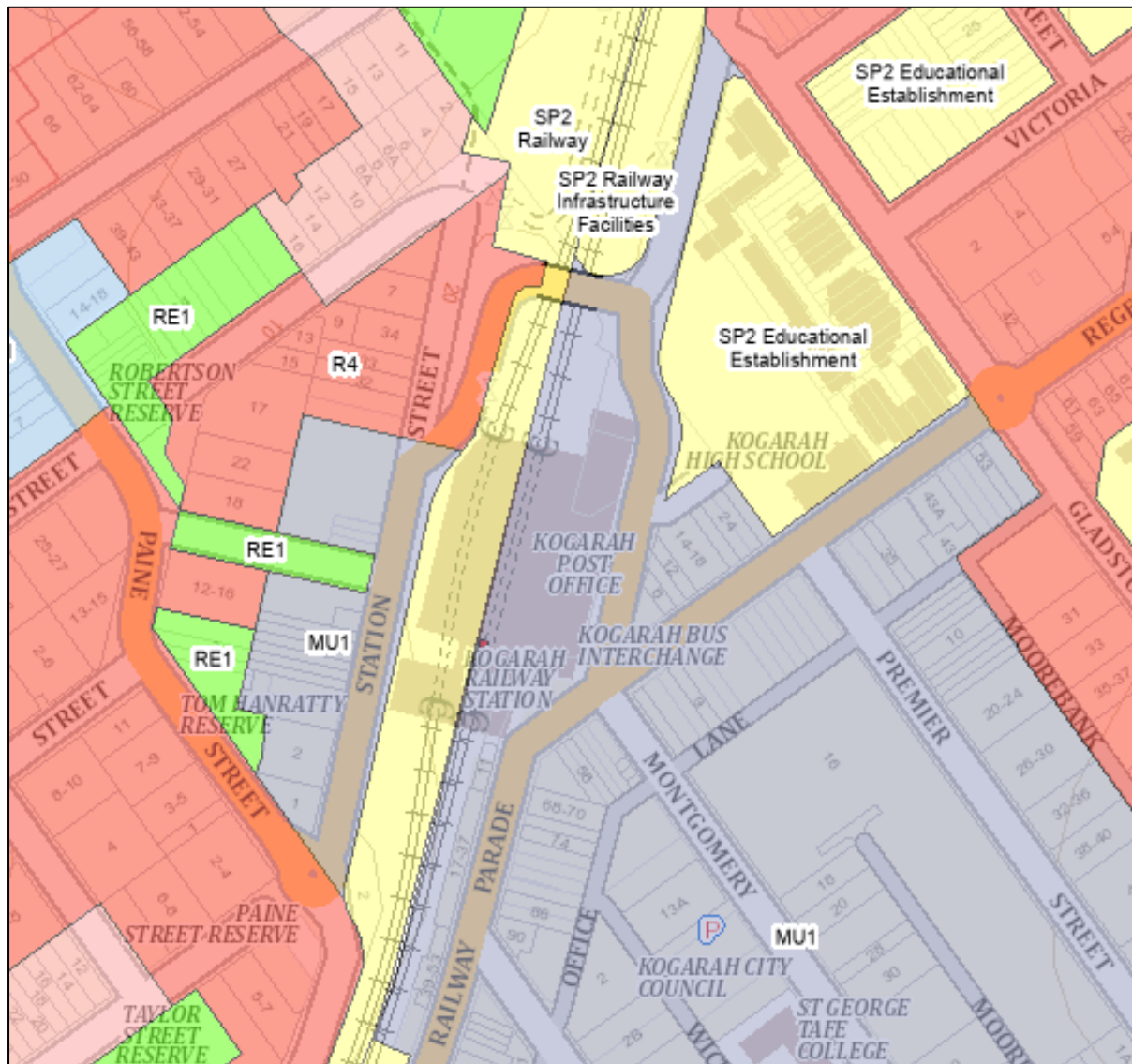


Figure 4. Zoning Map (Source: NSW Spatial Viewer 2026)

2.2 Existing Surrounding Development

Kogarah Station lies immediately to the south of the Subject Site, providing access to the Sydney CBD, Eastern Suburbs, Hurstville and Sutherland, with an adjacent bus interchange. To the north-east is Kogarah High School. To the east, south and south-east are predominantly one and two storey retail / commercial shopfronts forming part of the wider town centre, with a three storey shop-top housing building opposite. To the west of the station are retail / commercial tenancies and a recently developed nine storey mixed-use building, with older low-rise apartments and dwellings beyond. The wider town centre to the south-west includes the TAFE NSW St George Campus, Kogarah Library and St George Hospital.

2.3 Future Development

The Kogarah Strategic Centre is identified in State and local strategic planning for significant renewal and growth as a Health and Education Precinct and transit-oriented centre. While the Georges River LEP permits heights up to 12 storeys in parts of the centre, there has been limited uptake to date. The proposed development is intended to catalyse renewal of the centre, delivering housing and employment floorspace directly adjacent to Kogarah Station, consistent with the strategic vision for the precinct.



3. STRATEGIC CONTEXT

This section identifies the key issues relevant to the proposal's locational and strategic context and provides justification for the proposal based on the relevant strategic themes and directions.

3.1 Project Justification

The proposal responds to and is aligned with several key strategic and statutory planning framework documents, including:

- The vision for the Eastern Harbour City and strategic centres under the Greater Sydney Region Plan – A Metropolis of Three Cities;
- The priorities and actions for the Kogarah Strategic Centre and Health and Education Precinct under the South District Plan;
- The vision and actions of the Kogarah Collaboration Area Place Strategy (2020);
- The objectives of the Georges River Local Strategic Planning Statement, Local Housing Strategy and Affordable Housing Policy 2021; and
- The delivery of transit-oriented housing and employment growth aligned with existing infrastructure.

3.2 Strategic Planning Policies

A summary of the proposal's consistency with the relevant strategic context is set out in **Table 3** below.

Table 3: Consistency with the Relevant Strategic Planning Policies	
Strategic Plan / Policy	Response
NSW Government plans	
Greater Sydney Region Plan – A Metropolis of Three Cities	The proposal delivers housing and jobs growth within an established strategic centre directly served by rail, consistent with the Region Plan's objectives for productivity, liveability and sustainability.
South District Plan	The proposal supports Planning Priorities for the Kogarah Strategic Centre and Health and Education Precinct, including job growth, housing supply and housing affordability.
Future Transport Strategy	The proposal is transit-oriented, maximising the use of existing rail and bus infrastructure and reducing car dependence.
Kogarah Collaboration Area Place Strategy (2020)	The proposal directly implements the place vision for Kogarah, delivering renewal of the town centre and improved connectivity.
Georges River Council plans and strategies	
LSPS; Local Housing Strategy; Affordable	The proposal delivers housing (including affordable housing) and employment floorspace consistent with Council's strategic planning and affordable housing targets.



SCOPING REPORT

Concept State Significant Development Application

1 Railway Parade and 3A Railway Parade, Kogarah

Table 3: Consistency with the Relevant Strategic Planning Policies	
Strategic Plan / Policy	Response
NSW Government plans	
Housing Policy 2021	
Design policies and guidelines	
Better Placed (GANSW); Apartment Design Guide; Connecting with Country	The concept architectural plans will demonstrate design excellence and consistency with the relevant design policies.



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

4. PROJECT DESCRIPTION

The key details of the proposed development are outlined in **Table 4** below.

Table 4: Key Development Particulars	
Element	Particular
Site Area	Approximately 8,600m ² .
Application Type	Concept State Significant Development Application.
Description of Development	Renewal of the Kogarah Town Centre for a mixed-use, transit-oriented development comprising residential apartments (incl. affordable housing), retail and commercial floorspace, basement/podium parking, and associated demolition, remediation, earthworks and landscaping inside the site boundary.
Building height and Floor Space Ratio	The proposed height of buildings is in the order of RL122 – RL126.4m AHD (subject to OLS/PANS-OPS). The FSR to suit the proposed yield is indicatively up to approximately 8:1.
Dwelling Yield	Approximately 576 dwellings.
Affordable Housing	Minimum 5% of residential floor space as affordable housing.
Estimated Development Cost	Approximately \$400,000,000 exclusive of GST.

The concept architectural plans are provided at **Appendix A** and concept elevations are shown in **Figure 5** and **Figure 6** below.

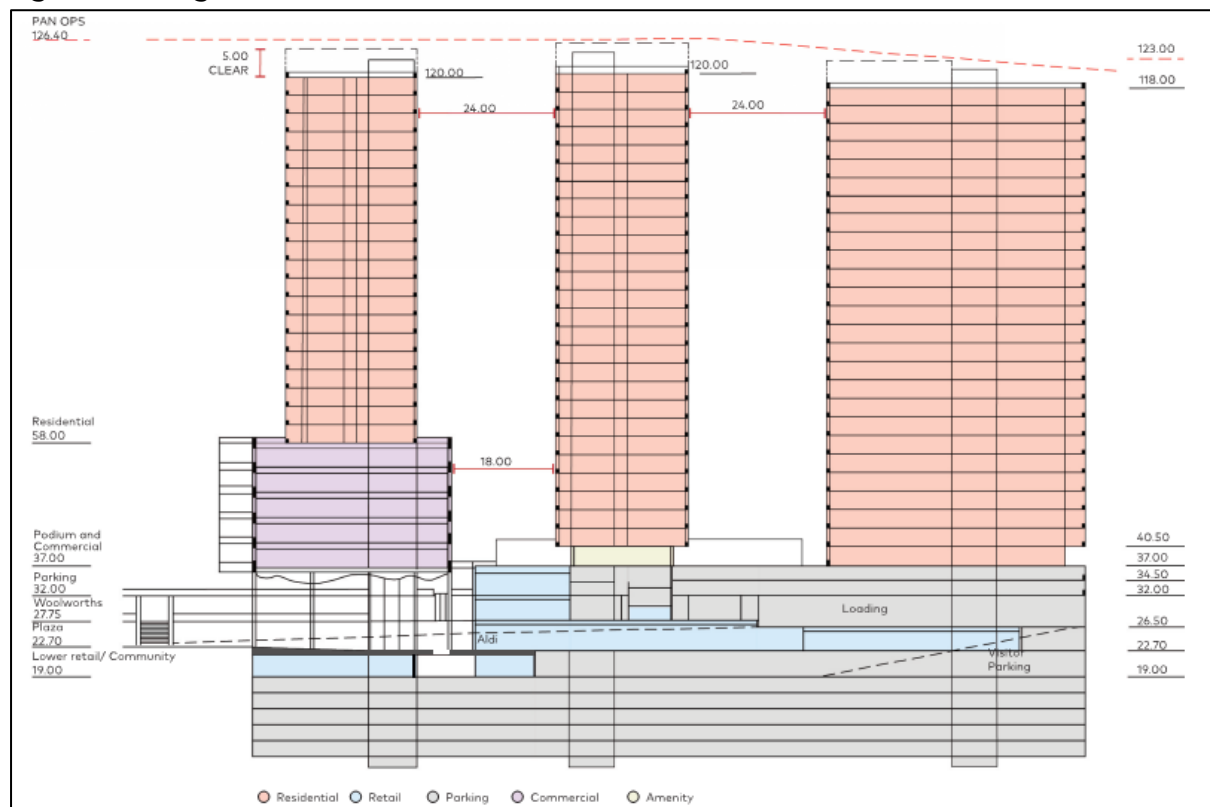


Figure 5. Concept elevation plans (Source: Cox 2022)

SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

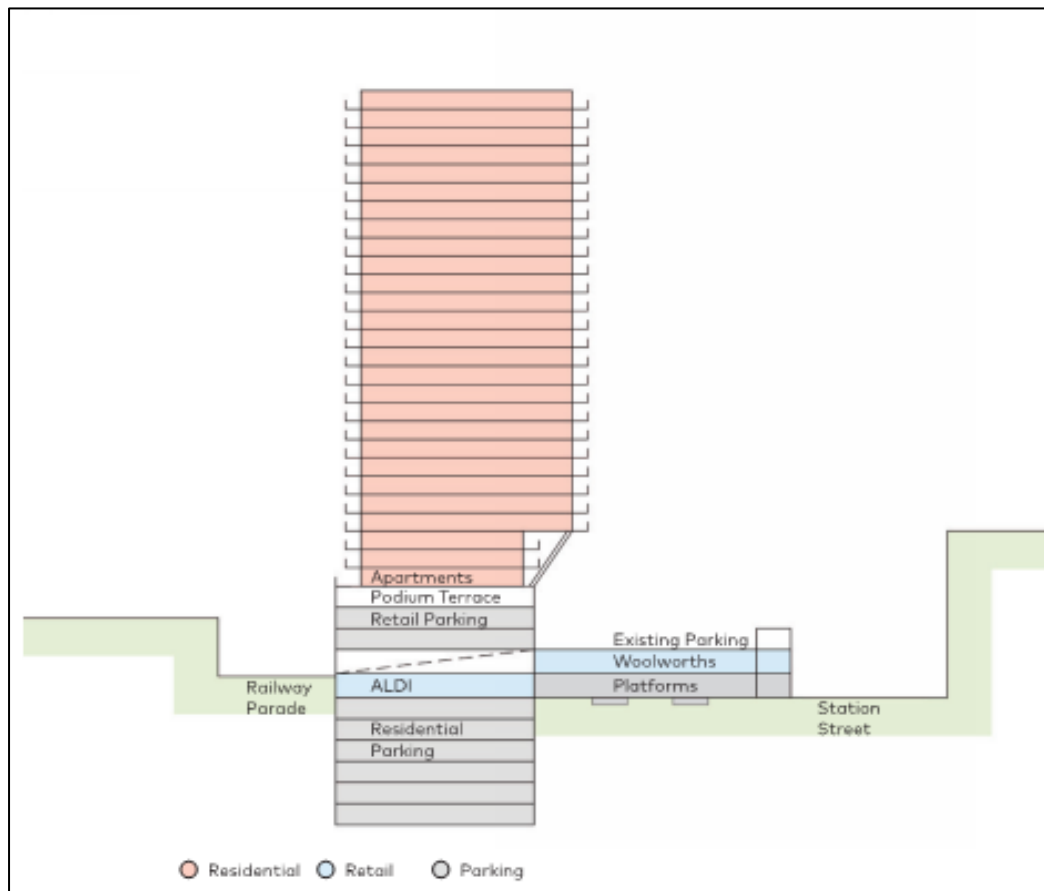


Figure 6. Concept elevation plans (Source: Cox 2022)



5. STATUTORY CONTEXT

This section of the Scoping Report outlines the key statutory requirements relevant to the Subject Site and the proposal. **Table 5** categorises and summarises the relevant requirements in accordance with the Guidelines.

5.1 Power to Grant Approval

Table 5: Power to Grant Consent	
Matter	Consideration
Declaration of SSD	Development consent will be sought under Division 4.7 (State Significant Development) of the EP&A Act 1979. Section 4.36(2) of the EP&A Act states that: <i>A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.</i> Schedule 1 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP) lists development that is declared SSD. Schedule 1, Clause 19(2), provides the following: 19 Rail and related transport facilities (2) <i>Development within a rail corridor or associated with railway infrastructure that has an estimated development cost of more than \$30 million for any of the following purposes—</i> (a) <i>commercial premises or residential accommodation,</i> (b) <i>container packing, storage or examination facilities,</i> (c) <i>public transport interchanges.</i> The development is for residential accommodation and commercial premises that is located within and is associated with railway infrastructure. The proposed development has an EDC of \$400,000,000. Accordingly, the proposed development is SSD.
Concept Application	The Concept SSDA is made under Section 4.22 of the EP&A Act, seeking approval for concept proposals for the development of the Subject Site (building envelope, land uses and maximum GFA), with detailed development the subject of future applications.
Consent Authority	Section 4.5 of the EP&A Act and Section 2.7 of the Planning Systems SEPP stipulate that the consent authority is the Minister for Planning (or the Department as their delegate) unless the development triggers the matter set out in Section 2.7(1) in which case the consent authority will be with the Independent Planning Commission. The Proponent has not made a reportable political donation in connection with the development application.

5.2 Permissibility

The permissibility of the proposed development is outlined in **Table 6** below.



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

Table 6: Permissibility

Matter	Consideration
Land Zoning	The Subject Site is zoned MU1 Mixed Use and SP2 Infrastructure under the Georges River LEP 2021.
Permissibility	Mixed-use development (including shop top housing and commercial premises) is permissible with consent in the MU1 zone wherein the development works are proposed under Georges River LEP 2021.

5.3 Other Approvals

Table 7 below outlines the legislative approvals required for the proposed development in addition to a development consent under Division 4.7 of the EP&A Act.

Table 7: Other Approvals

Matter	Consideration														
Approvals not required for SSD	Section 4.41 of the EP&A Act provides that certain authorisations are not required for SSD (e.g. various approvals under the Heritage Act, Water Management Act and POEO Act). Relevant approvals will be identified in the EIS. <table><tr><th>Act</th><th>Approval Otherwise Required</th></tr><tr><td>A permit under section 201, 205 or 219 of the <i>Fisheries Management Act 1994</i></td><td>No</td></tr><tr><td>An approval under Part 4, or an excavation permit under section 139, of the <i>Heritage Act 1977</i></td><td>No</td></tr><tr><td>An Aboriginal heritage impact permit under section 90 of the <i>National Parks and Wildlife Act 1974</i></td><td>No</td></tr><tr><td>A bush fire safety authority under section 100B of the <i>Rural Fires Act 1997</i></td><td>No</td></tr><tr><td>A water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the <i>Water Management Act 2000</i>.</td><td>No</td></tr></table>	Act	Approval Otherwise Required	A permit under section 201, 205 or 219 of the <i>Fisheries Management Act 1994</i>	No	An approval under Part 4, or an excavation permit under section 139, of the <i>Heritage Act 1977</i>	No	An Aboriginal heritage impact permit under section 90 of the <i>National Parks and Wildlife Act 1974</i>	No	A bush fire safety authority under section 100B of the <i>Rural Fires Act 1997</i>	No	A water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the <i>Water Management Act 2000</i> .	No		
Act	Approval Otherwise Required														
A permit under section 201, 205 or 219 of the <i>Fisheries Management Act 1994</i>	No														
An approval under Part 4, or an excavation permit under section 139, of the <i>Heritage Act 1977</i>	No														
An Aboriginal heritage impact permit under section 90 of the <i>National Parks and Wildlife Act 1974</i>	No														
A bush fire safety authority under section 100B of the <i>Rural Fires Act 1997</i>	No														
A water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the <i>Water Management Act 2000</i> .	No														
Consistent approvals	Section 4.42 of the EP&A Act provides that certain authorisations cannot be refused if necessary for carrying out SSD and must be substantially consistent with the consent. <table><tr><th>Legislation</th><th>Approval Required</th></tr><tr><td>An aquaculture permit under section 144 of the <i>Fisheries Management Act 1994</i></td><td>No</td></tr><tr><td>An approval under section 22 of the <i>Coal Mine Subsidence Compensation Act 2017</i></td><td>No</td></tr><tr><td>A mining lease under the <i>Mining Act 1992</i></td><td>No</td></tr><tr><td>A production lease under the <i>Petroleum (Onshore) Act 1991</i></td><td>No</td></tr><tr><td>An environment protection licence under Chapter 3 of the <i>Protection of the Environment Operations Act 1997</i> (for any of the purposes referred to in section 43 of that Act)</td><td>No</td></tr><tr><td>A consent under section 138 of the <i>Roads Act 1993</i></td><td>No</td></tr></table>	Legislation	Approval Required	An aquaculture permit under section 144 of the <i>Fisheries Management Act 1994</i>	No	An approval under section 22 of the <i>Coal Mine Subsidence Compensation Act 2017</i>	No	A mining lease under the <i>Mining Act 1992</i>	No	A production lease under the <i>Petroleum (Onshore) Act 1991</i>	No	An environment protection licence under Chapter 3 of the <i>Protection of the Environment Operations Act 1997</i> (for any of the purposes referred to in section 43 of that Act)	No	A consent under section 138 of the <i>Roads Act 1993</i>	No
Legislation	Approval Required														
An aquaculture permit under section 144 of the <i>Fisheries Management Act 1994</i>	No														
An approval under section 22 of the <i>Coal Mine Subsidence Compensation Act 2017</i>	No														
A mining lease under the <i>Mining Act 1992</i>	No														
A production lease under the <i>Petroleum (Onshore) Act 1991</i>	No														
An environment protection licence under Chapter 3 of the <i>Protection of the Environment Operations Act 1997</i> (for any of the purposes referred to in section 43 of that Act)	No														
A consent under section 138 of the <i>Roads Act 1993</i>	No														



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

Table 7: Other Approvals

Matter	Consideration	
		Such approval will be obtained after consent is issued for detailed built form applications.
	A licence under the <i>Pipelines Act 1967</i>	No
Rail Transport approvals /	Owner's consent and agreements with Transport for NSW / Sydney Trains will be required for development over and adjacent to the rail corridor.	

5.4 Pre-Conditions

The pre-conditions relevant to the proposal are outlined in **Table 8**. These matters will be addressed in detail within the EIS.

Table 8: Pre-Conditions

Statutory Reference	Pre-Condition
Resilience and Hazards SEPP	Chapter 4 (Remediation of Land): Clause 4.6 - contamination and remediation must be considered in determining the application. A site investigation (and, if required, remediation) will demonstrate the land is or can be made suitable.
Housing SEPP 2021	Affordable housing provisions relevant to the residential component, including the proposed minimum 5% affordable housing.
Transport and Infrastructure SEPP	Provisions relating to development in, above, below or adjacent to rail corridors (Division 15) and traffic generating development (referral to TfNSW).
EP&A Regulation 2021	Relevant procedural requirements for SSD applications and the EIS.

5.5 Mandatory Consideration

Table 9 provides a summary of the matters that the consent authority must consider in deciding to grant consent. These matters will be addressed in the EIS.

Table 9: Matters For Mandatory Consideration

Legislation / Statutory Reference	Matters for Consideration
Consideration under the EP&A Act and EP&A Regulation	
Section 1.3	Relevant objects of the EP&A Act.
Section 4.15	Relevant environmental planning instruments:



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

Table 9: Matters For Mandatory Consideration

Legislation / Statutory Reference	Matters for Consideration	
Consideration under the EP&A Act and EP&A Regulation		
	▪ <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> (Biodiversity and Conservation SEPP 2021) ▪ <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) ▪ Resilience and Hazards SEPP ▪ <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> (Sustainable Buildings SEPP) ▪ <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (Transport and Infrastructure SEPP) ▪ Georges River LEP	
	Relevant development control plan	Part 2.2, Clause 2.10 of the Planning Systems SEPP identifies that development control plans do not apply to SSD. Consequently, there is no requirement for assessment against the Georges River Development Control Plan 2021. However, consideration will be given to certain provisions for guidance purposes.
	Relevant draft environmental planning instruments	The draft Climate Change and Natural Hazards SEPP applies to the Subject Site and will be addressed in the EIS.
	Relevant planning agreements or draft planning agreements	The Subject Site is not subject to any planning agreements. The Subject Site is located within and above a rail corridor. The Proponent will identify if agreements with agencies such as Transport for NSW (TfNSW) or Sydney Trains are required. These matters will be addressed in detail in the EIS. Section 66 of the EP&A Regulation applies to the Subject Site and will be addressed in the EIS.
	The Regulations	Section 192 of the EP&A Regulation.
	The likely impacts of that development	The likely impacts of the proposed development have been identified in Section 7 of this Scoping Report including those matters requiring further assessment in the EIS.
	Suitability of the proposed development Public interest	These matters will be fully detailed and addressed within the EIS. Given the proposal aligns with the Federal, State and local strategic policy, it is considered that the proposed development is suitable for the Subject Site and is in the public interest.
	Submissions made in accordance with this Act or the regulation	Early engagement will be undertaken with the community and agencies to ensure that the views are appropriately considered and detailed in the EIS. A



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

Table 9: Matters For Mandatory Consideration

Legislation / Statutory Reference	Matters for Consideration
Consideration under the EP&A Act and EP&A Regulation	
	detailed response to any submissions will be provided following lodgement and public exhibition of the EIS.
Section 4.22	The proposal includes a concept proposal; the matters for concept development applications apply.
Section 4.38	Section 4.38 contains the provisions for determining a State significant development
Consideration under Environmental Planning Instruments	
Planning Systems SEPP 2021	Chapter 2 – State and regionally significant development (SSD assessment provisions).
Georges River LEP 2021	Zoning, permissibility and development standards.
Housing SEPP 2021	Affordable housing and design provisions and the Apartment Design Guide where applicable.
Resilience and Hazards SEPP 2021	Chapter 4 – contamination and remediation; hazardous and offensive development screening.
Transport and Infrastructure SEPP 2021	Rail corridor provisions (Division 15) and traffic generating development (s.2.122).
Biodiversity and Conservation SEPP 2021	Chapter 2 Vegetation in non-rural areas, as applicable to an urban site.
Sustainable Buildings SEPP 2022	Sustainability standards for residential and non-residential development (incl. BASIX).
Consideration under other legislation	
Environment Protection and Biodiversity Conservation Act 1999	Referral required only if the development is likely to significantly impact a Matter of National Environmental Significance; but considered unlikely given the urban setting.
Biodiversity Conservation Act 2016	Section 7.9 of the BC Act requires an SSD be accompanied by a Biodiversity Development Assessment Report (BDAR) unless it is determined that the proposed development is not likely to have any significant impact on biodiversity values or if the site has already part of biodiversity certification. A BDAR Waiver will be sought given the developed urban nature of the site.



6. ENGAGEMENT

This section of the Scoping Report identifies the relevant stakeholders, provides an overview of the consultation activities with the government agencies carried out to date, and sets out the consultation and engagement that will be carried out prior to the lodgement of the EIS.

6.1 Relevant Stakeholders

The following stakeholders are identified, having regard to the nature of the proposal and its impacts:

- The Department of Planning, Housing and Infrastructure (DPHI);
- Georges River Council and Bayside Council;
- Transport for NSW / Sydney Trains (as rail corridor landowner and for traffic generating development);
- Sydney Airport Corporation and the Civil Aviation Safety Authority (CASA) – OLS / PANS-OPS;
- Government Architect NSW / State Design Review Panel (as relevant);
- Service providers: Sydney Water, Ausgrid, NBN and other utilities;
- Heritage NSW and Aboriginal stakeholders (as relevant); and
- The local community and surrounding landowners and businesses.

6.2 Engagement Carried Out

The Subject Site has an extensive engagement history with the NSW Government, local government and agencies across the Unsolicited Proposal (USP), Planning Proposal and State significant development pathways. Key engagements carried out to date include:

- 2016 to 2017: initial engagement with the NSW Government through the Unsolicited Proposal (USP) process (Department of Premier and Cabinet and Transport for NSW). The proponent was advised to progress the USP first and to hold statutory town planning until after USP Stage 2;
- 30 January and 20 February 2018: meetings with Transport for NSW (USP Meetings No. 1 and No. 3). TfNSW advised that statutory planning would run in parallel to, but separately from, the USP, that the then current scheme could proceed, and that concept planning approval would be required for USP Stage 3. USP Stage 2 was subsequently accepted (February 2018);
- Early 2020: the USP progressed to a Stage 2 submission. In May 2020 Transport for NSW advised it would not proceed to USP Stage 3, with the cross-government assessment panel (Department of Premier and Cabinet) identifying the lack of town planning consent as a key reason;
- 26 April 2021 and September 2021: planning advice received recommending a Planning Proposal to establish the maximum height of buildings and FSR controls the Site lacked, having regard to the Greater Sydney Region Plan, South District Plan, Kogarah Collaboration Area Place Strategy and Georges River LSPS;
- 12 July 2022: a Planning Proposal was lodged with Georges River Council;
- 23 February 2023: the Georges River Council Local Planning Panel (Chair, Sue Francis) advised that a Concept SSDA may be a more timely pathway and would allow use of the existing development controls on the Site;
- October 2023: the NSW Department of Planning (Anthony Witherdin) advised that the proposal would not fall under the State significant development pathway and suggested a Stage 1 Concept DA followed by a Stage 2 detailed DA through Georges River Council;
- March 2024: the Premier's Department (Secretary, Simon Draper) and Transport Asset Holding Entity (TAHE) encouraged the project to recommence the USP process at Stage 2;
- 28 January 2025: Investment NSW (Executive Director, Katie Knight) advised that the USP remained the most appropriate pathway and that planning approval could be pursued through the newly established Housing Delivery Authority (HDA) Expression of Interest, run in parallel;
- July 2025: an Expression of Interest was lodged with the Housing Delivery Authority (Willowtree Planning, on behalf of Kogarah Town Centre Group);
- 27 October 2025 and 29 April 2026: the Housing Delivery Authority reviewed the proposal and deferred the Expression of Interest, referring it to Transport for NSW and Investment NSW;



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

- 11 June 2026: a meeting with DPHI confirmed that the proposal would not proceed under the HDA pathway and is to proceed as a Concept SSDA;
- 26 June 2026: a meeting with DPHI and Transport for NSW to discuss the current Concept SSDA proposal; and
- Ongoing tenant and stakeholder engagement undertaken by the proponent and design team (Cox).

6.3 Engagement to be Carried Out

Engagement to be undertaken prior to and during preparation of the EIS includes pre-scoping / pre-lodgement meetings with the Department; engagement with Georges River and Bayside Councils; consultation with Transport for NSW / Sydney Trains on the rail interface and traffic; and consultation with Sydney Airport / CASA on the OLS.

A Community and Stakeholder Engagement Outcomes Report will be prepared in accordance with the Undertaking Engagement Guidelines for State Significant Projects (March 2024) and will accompany the EIS. The proposal will also be subject to the statutory public exhibition process.



7. PROPOSED ASSESSMENT OF IMPACTS

Having regard to the site-specific constraints and sensitivities, a preliminary due diligence has been undertaken to identify the relevant environmental issues. This section identifies the key impacts to be investigated in the EIS and the proposed approach to each, and the matters that do not warrant further consideration.

7.1 Matters Requiring Further Assessment

7.1.1 Built Form, Urban Design and Design Excellence

The EIS will be supported by concept architectural plans and a Design Report demonstrating the proposed envelope and land uses. As the application is a Concept SSDA, the concept architectural plans will test and justify the building envelope, podium and tower forms, separation, setbacks and solar access.

Design excellence will be addressed, including a design excellence strategy. The EIS will be informed by architectural drawings, a survey plan, an accessibility review and a BCA capability statement.

7.1.2 Environmental Amenity

The EIS will assess amenity impacts including overshadowing (shadow diagrams), solar access, view loss / view sharing, visual privacy, and pedestrian wind effects, together with an assessment against the Apartment Design Guide. Construction noise, vibration and lighting impacts on surrounding sensitive receivers will also be assessed.

7.1.3 Visual Impact

A Visual Impact Assessment, informed by photomontages and perspectives from key viewpoints, will assess the impact of the proposed envelope on the streetscape, public domain and surrounding context.

7.1.4 Aviation – Protection of Airspace (OLS / PANS-OPS)

The Subject Site is affected by the OLS / PANS-OPS of Sydney (Kingsford Smith) Airport (estimated controlling level RL122 – 126.4m AHD), which is a defining constraint on building and crane heights. An Aviation / Aeronautical Impact Assessment will confirm the maximum achievable levels and inform the proposed controls, with consultation with Sydney Airport and CASA. This is a critical-path matter that will directly inform the envelope and yield.

7.1.5 Traffic, Transport and Accessibility

A Transport and Accessibility Impact Assessment will accompany the EIS, addressing the existing transport network, proposed access and parking, construction traffic, and mitigation. The proposal constitutes Traffic Generating Development and will be referred to Transport for NSW. A Construction Traffic Management Plan and Green Travel Plan will be prepared.

7.1.6 Rail Corridor Interface

As the Subject Site is partly constructed over and adjacent to the rail corridor (SP2 Infrastructure), a rail interface / rail safety assessment will be prepared and early engagement undertaken with Transport for NSW / Sydney Trains, including in relation to excavation, structural interface, construction methodology and ongoing operations.



7.1.7 Noise and Vibration

A Noise and Vibration Impact Assessment will address operational and construction noise and, in particular, rail noise and vibration on the proposed residential development (consistent with the Transport and Infrastructure SEPP).

7.1.8 Contamination and Remediation

Given the current and former uses (including the petrol station / car repair), a Preliminary Site Investigation (and, as required, a Detailed Site Investigation and Remedial Action Plan) will be prepared to demonstrate the land is, or can be made, suitable for the proposed uses, consistent with Chapter 4 of the Resilience and Hazards SEPP. Existing investigation and remediation documentation will be reviewed and updated.

7.1.9 Geotechnical and Groundwater

A geotechnical investigation and groundwater assessment will be prepared to characterise subsoil and groundwater conditions and inform the design of excavation and basement levels, including any dewatering and the rail interface.

7.1.10 Integrated Water Management and Flooding

An Integrated Water Management Plan will address stormwater drainage, water quality, water sensitive urban design, water conservation and servicing. Flood advice will confirm the flood context and any impacts associated with the proposed works and basement construction.

7.1.11 Infrastructure Delivery, Management and Staging

An Infrastructure Servicing / Delivery, Management and Staging Plan will assess the impact on existing utilities and the augmentation required (water, wastewater, electricity, telecommunications) to service the development, and the proposed staging.

7.1.12 Ecologically Sustainable Development

An ESD Report will address the Sustainable Buildings SEPP 2022 (including BASIX and embodied emissions), demonstrating best-practice sustainability outcomes.

7.1.13 Biodiversity

Given the highly urbanised, previously developed nature of the Subject Site, the preparation of a Biodiversity Development Assessment Report is not anticipated to be required and a BDAR Waiver will be sought. An arboricultural impact assessment and landscape plan will address tree removal and replacement planting.

7.1.14 Aboriginal and Non-Aboriginal Heritage

The need for an Aboriginal Cultural Heritage Assessment (or due diligence) will be confirmed having regard to the disturbed, urban nature of the Subject Site. Built (non-Aboriginal) heritage in the vicinity will be identified and a Statement of Heritage Impact prepared where required.

7.1.15 Social and Economic Impact

A Social Impact Assessment and an Economic Impact Assessment will address the social and economic effects of the proposal, including housing and affordable housing benefits, employment generation, retail impacts and community benefit. Existing assessments will be reviewed and updated.



SCOPING REPORT

Concept State Significant Development Application
1 Railway Parade and 3A Railway Parade, Kogarah

7.1.16 Waste and Hazards

A Waste Management Plan and a Hazardous Materials Survey (for demolition) will be prepared. A preliminary risk screening will determine whether a Preliminary Hazard Analysis is required.

7.1.17 Stakeholder and Community Engagement

A Community and Stakeholder Engagement Outcomes Report will document the engagement undertaken, the issues raised and how they informed the proposal.

7.2 Matters Requiring No Further Consideration

7.2.1 Bush Fire

The Subject Site is not mapped as bush fire prone land and is in a highly urbanised setting. A Bush Fire Assessment is not required.

7.2.2 Wildlife Hazard

The proposal does not involve land uses or water bodies of the kind that attract wildlife relevant to airport bird-strike risk. A Wildlife Hazard Assessment is not required; aviation airspace matters are addressed under the OLS / PANS-OPS assessment.

7.3 Anticipated Deliverables

To assist in informing the SEARs, the following are the anticipated deliverables to support the EIS:

- Environmental Impact Statement;
- Concept architectural drawings and Design Report;
- Design Excellence Strategy;
- Site Survey;
- Urban Design Report;
- Landscape Plan;
- Arboricultural Impact Assessment;
- Estimated Development Cost Report / Cost Plan;
- Shadow diagrams, view analysis and pedestrian wind assessment;
- Apartment Design Guide assessment;
- Visual Impact Assessment;
- Aviation / Aeronautical Impact Assessment (OLS / PANS-OPS);
- Transport and Accessibility Impact Assessment (Construction Travel Management Plan, Green Travel Plan);
- Rail interface / rail safety assessment;
- Noise and Vibration Impact Assessment;
- Contamination: Preliminary Site Investigation / Detailed Site Investigation / Remediation Action Plan (as required);
- Geotechnical and groundwater assessment;
- Integrated Water Management Plan and flood advice;
- Infrastructure Delivery, Management and Staging Plan;
- ESD Report / BASIX;
- Ecological assessment and BDAR Waiver;
- Aboriginal and non-Aboriginal heritage assessment (as required);
- Social Impact Assessment and Economic Impact Assessment;
- Waste Management Plan and Hazardous Materials Survey;
- Community and Stakeholder Engagement Outcomes Report;
- Owner's consent (including rail corridor landowner).



8. CONCLUSION

This Scoping Report has been prepared to request Project-Specific SEARs for a State Significant Development Application for the renewal of the Kogarah Town Centre at 1 Railway Parade and 3A Railway Parade, Kogarah. The proposal is declared SSD under Schedule 1, Clause 19(2) of the Planning Systems SEPP.

The report has outlined preliminary information regarding the Subject Site and proposal, identified the relevant strategic and statutory context, summarised the approach to stakeholder engagement, and identified the scale and nature of the impacts of the project and the proposed approach to their assessment.

We trust that the information detailed in this report is sufficient to enable the Secretary to issue Project-Specific SEARs for the preparation of an EIS.

